

Senate Bill No. 473

CHAPTER 248

An act to add Section 11006 to the Government Code, relating to state agencies.

[Approved by Governor September 26, 2007. Filed with
Secretary of State September 26, 2007.]

LEGISLATIVE COUNSEL'S DIGEST

SB 473, Cox. State agencies: fingerprinting vendors.

Existing law requires the Department of Justice to establish and implement a certification program in the Department of Justice for processing fingerprint-based criminal background clearances on individuals who roll fingerprints. Existing law requires the Department of Justice to work with applicant regulatory entities to improve and make more efficient the criminal offender record information request process related to employment, licensing, and certification background investigations.

This bill would prohibit a state agency that requires fingerprinting for any non-law-enforcement purpose from requiring the use of specified live scan fingerprinting service providers certified by the Department of Justice to roll fingerprint impressions. The bill also would authorize state agencies to identify on their Web sites a list of live scan fingerprinting service providers certified by the Department of Justice, and if a state agency chooses to do so, it would be required to provide a link to the Department of Justice's Web site that lists all certified live scan fingerprinting service providers.

The people of the State of California do enact as follows:

SECTION 1. Section 11006 is added to the Government Code, to read:

11006. (a) Notwithstanding any other provision of law, a state agency that requires fingerprinting for any non-law-enforcement purpose shall not require the use of specified live scan fingerprinting service providers certified by the Department of Justice to roll fingerprint impressions, as provided for under Section 11102.1 of the Penal Code.

(b) A state agency may identify on its Web site a list of live scan fingerprinting service providers certified by the Department of Justice. If a state agency does identify on its Web site a list of live scan fingerprinting service providers certified by the Department of Justice, then it shall provide a link to the Department of Justice's Web site that lists all certified live scan fingerprinting service providers.

SEC. 2. (a) The Legislature finds and declares that the utilization of all eligible vendors provides the greatest access for consumers to obtain live scan fingerprint services.

(b) Therefore, it is the intent of the Legislature in enacting this act to encourage all state agencies that require live scans to encourage their licensees and constituents to obtain live scans at the earliest possible time in their approval process to avoid unnecessary delays.